

3. (amended) A polynucleotide according to claim 1 wherein said spacer comprises a nucleotide sequence as shown in SEQ I.D. No. 10 or SEQ I.D. No. 11.

A1  
4. (amended) A polynucleotide according to claim 2 wherein said promoter is selected from an SV40 promoter or an MLV promoter.

Sub 32  
5. (amended) A polynucleotide according to claim 1 comprising at least two repeats of the HRE operably linked to the promoter and upstream the promoter and at least two repeats of the HRE operably linked to the promoter and downstream the promoter.

7. (amended) A polynucleotide according to claim 6 comprising at least three repeats of the HRE operably linked to the promoter and upstream the promoter and at least three repeats of the HRE operably linked to the promoter and downstream the promoter.

A2  
8. (amended) A polynucleotide according to claim 1 wherein the HRE repeats are direct repeats.

Sub 33  
9. (amended) A polynucleotide according to claim 1 wherein the HRE comprises a nucleotide sequence as shown in SEQ I.D. No. 1 or SEQ I.D. No. 2.

Sub 34  
12. (amended) A polynucleotide according to claim 1 operably linked to a nucleic acid of interest (NOI) such that the polynucleotide directs expression of the NOI in a host cell.

A4  
15. (amended) A polynucleotide according to claim 12 wherein the host cell is a tumour cell.

16. (cancelled)

18. (amended) A polynucleotide according to claim 12 wherein the NOI encodes a polypeptide capable of converting a precursor into a cytotoxic compound.

Sub 35  
19. (amended) A polynucleotide according to claim 15 wherein the NOI is selected from the group consisting of polynucleotide sequences encoding proteins involved in the regulation of cell division, enzymes involved in cellular metabolic pathways, transcription factors and heat shock proteins.

A5  
20. (amended) A polynucleotide according to claim 15 for use in delivering the NOI to a mammalian cell.

21. (amended) A nucleic acid vector comprising a polynucleotide as defined in claim 1.

22. (amended) A viral vector comprising a polynucleotide as defined in claim 1.

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cont.

23. (amended) A viral vector according to claim 22 which further comprises a nucleotide sequence selected from (i) a nucleotide sequence encoding an inhibitory RNA molecule capable of effecting the cleavage, directly or indirectly, of VHL RNA; (ii) one or more inhibitory RNA molecules that bind to and prevent VHL RNA processing, expression or both; and (iii) a nucleotide sequence encoding a polypeptide capable of inhibiting the binding of VHL to Elongin B, Elongin C, or both.

25. (amended) A viral vector according to claim 22 wherein the viral vector is a retroviral vector.

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26. (amended) A viral vector according to claim 22 wherein the viral vector is an adenoviral vector.

27. (amended) A viral vector according to claim 25 wherein the viral vector is a lentiviral vector.

28. (cancelled)

29. (cancelled)

30. (cancelled)

31. (amended) A method of producing a viral strain which method comprises introducing a polynucleotide as defined in claim 1 into the genome of a virus.

REMARKS

The above preliminary amendment is made to remove multiple dependencies from claims 3-5, 7-9, 12, 15, 18-23, 25-27 and 31.

A new abstract page is supplied to conform to that appearing on the publication page of the WIPO application, but the new Abstract is typed on a separate page as required by U.S. practice.

Applicants respectfully request that the preliminary amendment described herein be entered into the record prior to calculation of the filing fee and prior to examination and consideration of the above-identified application.